IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34472 of 2007(D)

PETITIONERS:

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1. RAMACHANDRAN, CHIRAPURATHU,
   NARANAMUZHI P.O., MADANTHAMON.

2. CHANDI, KAVALAYIL,
   NARANAMUZHI P.O., KANNAMPALLY.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS:

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1. VILLAGE OFFICER,
   ATHIKAYAM VILLAGE, RANNI TALUK,
   PATHANAMTHITTA.

2. TAHASILDAR (RR), RANNI.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.34472 of 2007 D

Dated this the 22nd day of November, 2007.

JUDGMENT

Petitioners contend that they are sureties in C.C.No.206/07 on the files of the Chief Judicial Magistrate, Pathanamthitta. Apparently, when the accused did not appear, learned magistrate proceeded to cancel the bail bonds and then issued a Non-bailable warrant against the accused. Proceedings against the sureties also were taken. Petitioners contend that revenue recovery proceedings have been initiated against them. They pray for restraint against the warrant, enabling them to move the Chief Judicial Magistrate.

2. Firstly no notice under the Revenue Recovery Act has been issued against them. Secondly, the remedy of the petitioners is to move the magistrate's court or the Sessions

court or to move this court under the Code of Criminal Procedure.

In my view, the writ petition is clearly misconceived. It is accordingly dismissed.

Sd/-
(V.GIRI)
JUDGE

sk/

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P.S. To Judge